

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al } ORDER:
- vs - } THAT FACILITIES TO
IRAKI, Sadao; et al } INTERVIEW CERTAIN
} WITNESSES REQUESTED
} BY THE ACCUSED HIRANUMA
} BE PROVIDED; AND FOR
} THE PRODUCTION OF
} DOCUMENTS.

This matter coming on to be heard on this 12th day of November, 1946, before the Honorable Sir William Webb, President of the Tribunal, upon the application of HIRANUMA, Kiichiro, one of the defendants herein, for the production of witnesses and documents necessary to the defense of said HIRANUMA, Kiichiro, in accordance with the provisions of Section III, Article 9, Paragraph (e) of the Charter, the names of said witnesses and the description of the documents being fully set forth in said application, which is Paper No. 523; and after hearing the statements and arguments of Counsel for the said HIRANUMA, Kiichiro, and the Tribunal being fully advised in the premises, it is

ORDERED: That each of the following named persons, all of whom are Japanese nationals and may be located within the territorial limits of Japan, be produced or required to present himself at the time and place directed by the General Secretary of the Tribunal for interrogation by Counsel for the accused HIRANUMA to determine if his presence will be

1. TAKEUCHI, Kakuji;
 - (a) The nationality of the witness is Japanese;
 - (b) The witness is now in Tokyo City; Setagaya-ku, Kamikita-zawa 3-chome, No. 877;
2. MURAKAMI, Kyoichi;
 - (a) The nationality of the witness is Japanese;
 - (b) The witness is now in Tokyo City; Musashino-machi Kichizyozi Honderminami, No. 2546;
3. KAYABA, Gunzo;
 - (a) The nationality of the witness is Japanese;
 - (b) The witness is now in Urawa City, Maezi, No. 98;
4. BABA, Tsunego;
 - (a) The nationality of the witness is Japanese;
 - (b) The witness is now in Tokyo City; Kojimachi-ku Yuraku-cho, 1-chome, No. 13, at Yominuri press.

It is further

ORDERED: That every facility and assistance be provided to Counsel for the accused HIRANUMA to submit written interrogatories to or verbally interrogate the following named person at the place where said person is now located and held:

OTA, Kozo;

(a) The nationality of the witness is Japanese;
(b) The witness is now in Sugamo Prison; Tokyo, Japan, a prisoner of the Allies.

It is further

ORDERED: That the application of the accused for the issuance of a subpoena for each of the persons named in his request for the production of witnesses is indefinitely continued, awaiting the results and disclosures of the interrogations hereinbefore authorized and ordered, and the accused is granted permission to file a supplemental application for the issuance of subpoenas for such witnesses, selected from the list named in his original application (paper No. 523), as may be found necessary to his proper defense in this case, as a result of said interrogations.

It is further

ORDERED: That the application of the accused for the production of documents is granted; and that the following documents, which may be located at the place or in the custody of the agency set forth opposite the description of said documents, be procured forthwith and lodged with the Registry of the Tribunal

<u>DOCUMENT</u>	<u>LOCATION</u>
A. Original copy of the judgment given by the Tokyo District Criminal Court on 8 November 1944, in a criminal case brought against KITAOKI (Shun) NAKAMURA (Takeshi), NISHIYAMA (Choku), DOI (Saburo);	Prosecutor's (Prosecutor's) Office, Tokyo District Criminal Court, Hibiya Kojirachiku, Tokyo.

<u>LOCATION</u>	<u>LOCATION</u>
B. "TOKYO RECORD", a book written by Otto D. Tiefenbush and published by Hanish Hamilton, London and George Jaeger Melbourne	U.S.I.I.F.F.E. Orientation Reference Library, 2nd Floor, Mitsubishi Shoji Building, Marunouchi Kojimachiku, Tokyo.
C. (1) "Special Police Monthly Journal" (Tokko Geppo), all numbers published in 1939, 1941 and 1944;	These magazines and books are publications of the Japanese Home Ministry and are in the custody of the Counter Intelligence Section (CIS) or the Legal Section of the Supreme Commander for the Allied Powers, (SCAP).
D. The minutes of the Privy Council Conference held in 1932 with respect to the issuance of government bonds for the purpose of defraying the military expenses of the Manchurian Incident;	Archives of the Chancellery of the Privy Council, Wedakuronon Konimachiku, Tokyo.

Dated at Tokyo, Japan, this 26 day of November,
1946.

BY THE TRIBUNAL:

(Signed) W. F. Webb
PRESIDENT